SINGLE BENCH (4)

C. f. 1007

(2)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 6694 /2006

PETITIONER : **Shiv Kumar Verma,** Age 43 about years,
S/o Late Shri D. R. Verma,
Civil Line Colony, Q.No. - H/13,
Mahurband Para, Distt. - Kanker (C.G.)

VERSUS

RESPONDENTS :
1. **State Government of Chhattisgarh**
Through :- **Secretary,**
Tribal Welfare Department & Education
Department, D.K.S. Bhawan, Raipur (C.G.)
2. **District Education Officer,**
Kanker (C.G.)
3. **Block Education Officer**
Block - Kanker, Distt. - Kanker (C.G.)
4. **Joint Director (Treasury/Accounts),**
Jagdalpur (C.G.)

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WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

(28)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(S) No. 6694 of 2006

Petitioner : Shiv Kumar Verma

Versus

Respondents : State Government of Chhattisgarh and others

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Present: Shri Somkant Verma, Advocate for the petitioner.

Shri Sushil Dubey, Govt. Advocate for the respondents/State.

O R D E R

(Passed on this 22nd day of February, 2007)

1. The petitioner was appointed as Assistant Teacher on fixed pay of Rs. 300/-. After completion of one year's probation, he was granted regular pay in the pay scale of Rs. 545-925/-.
2. Learned counsel appearing for the petitioner submits that the issue involved in the case is asto whether the petitioner is entitled to regular pay scale w.e.f. the date of initial appointment or from the date of completion of probation period.
3. The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment. The matter was taken-up to the Hon'ble Supreme Court in Special Leave Petition (Civil) No. 6892/93. The said petition was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect

(29)

that the Teachers/Assistant Teachers are entitled to regular pay scale from date of initial appointment.

4. Learned counsel appearing for the petitioner further submits that this Court, while considering the same issue in Sushil Tiwari & others Vs. State Govt. of Chhattisgarh & others (W.P. (S) No. 5976 of 2006) by order dated 7-11-2006, has granted regular pay scale w.e.f. the date of initial appointment.

5. Learned counsel appearing for the parties jointly submit that this case is squarely covered by the decision of this Court in the case of Sushil Tiwari & others Vs. State Govt. of Chhattisgarh & others (Supra).

6. In view of that, this petition is allowed in the same terms. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur